

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 21-47701

KRISTINE M. KERWIN,

Chapter 13

Debtor.

Judge Thomas J. Tucker

ORDER DISMISSING CASE

On September 27, 2021, the Debtor filed a voluntary petition for relief under Chapter 13, commencing this case, and the Debtor also filed, among other documents, a “Certificate of Counseling” (Docket # 4), which states that on March 25, 2021, the Debtor received “an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.”

The Debtor is not eligible to be a debtor in this case under 11 U.S.C. § 109(h)(1). That provision provides in relevant part, that

an individual may not be a debtor under this title unless such individual has, **during the 180-day period ending on the date of filing the petition** by such individual, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

(Emphasis added).

The Debtor did not receive the required credit counseling briefing during the 180-day period ending on the date of the filing of her petition. In this case, the “180-day period ending on” the petition date of September 27, 2021 began on Wednesday, March 31, 2021. The Debtor received the credit counseling briefing on March 25, 2021, *before* the 180-day period began.

Accordingly,

IT IS ORDERED that this case is dismissed.

Signed on September 30, 2021



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge